

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 20, 1955  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

## Roll call:

Present: Councilmen Long, Palmer, White, Mayor Miller  
Absent: Councilman Pearson

Present: also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by REV. ALBERT F. JESSE, St. Paul's Lutheran Church.

MR. A. H. EDBOURG, Midland, Texas, asked relief from a power line that crossed his property on the west side of Lake Austin. The line that crosses Bee Creek extends northward paralleling the shores of Lake Austin. He had three lots and a fraction. The transmission line and existing power pole, he stated, had condemned the building sites on two of his lots and partially condemned the site on the third lot. The City Manager explained that this was part of the 69KV line installed, constructed on an easement given in 1940. He explained also an alternate placement of the line to the east, but it would create the same situation on Lots 9 and 10, and would do damage to them. This relocation would cost \$2200. The Mayor inquired as to the cost of these lots. Mr. Edbourg stated he had \$1800 in the lots. The Mayor asked if he wanted to sell the lots. The Director of Electric Utilities was present in the discussion. Mr. Edbourg asked the Council to permit him to submit another design worked out by some of his engineering friends. The Mayor observed that it looked as though Mr. Edbourg had purchased the property after the lines were put in, and that the easement was recorded in the abstract, but that the Council would look at his designs if he wanted to submit them, but could not make any promises as to what could be done.

Councilman White moved that the Minutes of October 13th be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Absent: Councilman Pearson

MR. STUART WATT, speaking for himself and two others, asked what action had been taken on his request to close an alley in the area of 50th and Airport Boulevard, as it was a dead-end alley. The City Attorney stated the alley had been fenced off, but that it was a dedicated alley, and there are between 11-14 other property owners who own property abutting the same alley. It had been the desire of the Council that all owners of property abutting the alleys express their approval of vacating the alleys before the Council did close them. The City Attorney stated Mr. Watt had a copy of the map showing the names of the property owners. He also suggested that if the alley were vacated that the utility easements be retained.

Mayor Miller introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Absent: Councilman Pearson

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Absent: Councilman Pearson

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Absent: Councilman Pearson

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT ON LOTS 1, 2, 3, BLOCK 4, DRISKILL AND RAINEY'S SUBDIVISION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Absent: Councilman Pearson

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Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Absent: Councilman Pearson

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Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Absent: Councilman Pearson

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

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Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Absent: Councilman Pearson

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Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
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Noes: None  
Absent: Councilman Pearson

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The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE

BOOK "I", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT ON LOTS 27 AND 28, OUTLOTS 6 AND 9, DIVISION, "C", BEAU SITE ADDITION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Palmer moved that the ordinance be passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, White, Mayor Miller  
Noes: Councilman Long  
Absent: Councilman Pearson

Councilman Palmer submitted the request of the Junior Chamber of Commerce to install signs 6'x8' wide on all main arteries leading into the City. The City Manager suggested having the Traffic Engineer work with them so that the signs will not be placed as to obstruct the view. Councilman Palmer moved that permission be granted if it could be worked out on the right-of-way where it would not impede the traffic or endanger the flow of the traffic, and that it be referred to the Traffic Engineer. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Absent: Councilman Pearson

Councilman Long had a letter regarding the condition of Lake Austin Boulevard, information was obtained on this street. Councilman Long stated she would tell the party that the City would look with favor upon paving on the voluntary plan.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the construction and maintenance of a loading platform in the sidewalk area on the south side of East 4th Street and the west side of Trinity Street, adjoining property

which is owned by the Capitol Paper Stock Company the same being designated as Lots 7, 8, and 9, Block 32, of the Original City of Austin, Travis County, Texas, locally known as 309 East 4th Street and hereby authorizes the Capitol Paper Stock Company to construct and maintain said loading platform, subject to the same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue a building permit for the construction of this loading platform after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations, and the right of revocation is retained, if, after hearing, it is found by the City Council that the said Capitol Paper Stock Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas  
October 20, 1955

"Mr. W. T. Williams, Jr.  
City Manager  
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of the Capitol Paper Stock Company through their agent I. A. Whitaker, for permission to construct and maintain a loading platform in the sidewalk area on the south side of East 4th Street and the west side of Trinity Street, adjoining Lots 7, 8, and 9, Block 32, of the Original City of Austin, Travis County, Texas, locally known as 309 East 4th Street, and we hereby advise that the following conditions exist:

"The property upon which this business is located is designated as "C-2" Commercial District as shown upon the zoning maps of the City of Austin.

"This neighborhood is essentially a warehouse district in which a number of warehouses now exist with loading platforms extending out over the sidewalk area.

"We recommend that the Capitol Paper Stock Company be granted permission to construct and maintain said loading platform in the sidewalk area adjoining the property described above subject to the following conditions:

"That the proposed loading platform be constructed of concrete or heavy timbers and provided with steps and hand rails at each end to permit the passage of pedestrians through this area, and in accordance with the plans on file in the Building Inspectors Office, and that all grades and line for the curb in front of this property be constructed in accordance with the lines, grades and specifications established by the Department of Public Works and having the approval of the Director of Public Works.

"That a manhole be built around the water cut off valve to the six inch fire line entering the building, which will be covered by the extension of this loading platform, as directed by the Superintendent of the Water Department.

"Respectfully submitted,  
Reuben Rountree  
Director of Public Works  
(Sgd) J. C. Eckert  
Building Inspector"

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Absent: Councilman Pearson

The Council changed its meeting date from NOVEMBER 24th, 1955 to NOVEMBER 23, 1955, to observe Thanksgiving.

Councilman Long asked the City Manager to check the possibility of two-hour parking in the 300 Block of East 11th.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 16, SECTION 16.4 OF THE  
AUSTIN CITY CODE OF 1954, PERTAINING TO THE SALE OF  
ALCOHOLIC BEVERAGES WITHIN 300 FEET OF CHURCHES,  
SCHOOLS AND HOSPITALS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance be passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Absent: Councilman Pearson

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance be passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Absent: Councilman Pearson

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Absent: Councilman Pearson

The Mayor announced that the ordinance had been finally passed.

Councilman White moved that the University of Texas, through the request of MR. FRED ANDERSON, be granted permission to have a parade on November 12th, Band Day, and the City Manager to inform the Police Department. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Absent: Councilman Pearson

Councilman Long moved that INTERNATIONAL HARVESTER COMPANY be granted permission to use a certain part of the Butler Tract, as requested through Mr. Bert Mahoney, for display of their equipment on November 8, 9, and 10th, at a rate of \$10.00 per day. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Absent: Councilman Pearson

The City Manager submitted a request of MR. JOE CALLAN, owner of property at 1017 East 49th Street, to purchase the property between his and the Inter-regional Highway. The City Manager gave the amount of the offer and the value as set by the Tax Department in view of its worth to the property adjoining it. He also suggested a trade. He stated he would get a sketch of the property for the Council to study. Councilman Long stated it had not been zoned as yet.

The Council went over the pending list. It was suggested that names be submitted next week to be appointed on the Civil Defense Council.

As to the building code, it was suggested that the City Manager get copies of the current building codes from Fort Worth, Dallas, Houston, San Antonio, and Corpus.

The City Manager announced that paving on ARCADIA between Woodrow and Grover has been signed up 81%, and it was believed the others would come in before the paving was done. It might be that there will be two skips.

The Mayor stated that it was time to engage the Auditor for the current year, and he thought it would be best to talk to the present Auditor and see what he will do, or other firms too, and get them started as early in the year as possible.

The City Manager submitted the request of the Sheriff's Department to erect a F. M. Radio tower on the Highland Park Water Reservoir site, the City to be indemnified by the County for any claims growing out of this use. Councilman Long moved that this permission be granted. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

There being no further business the Council adjourned at 12:00 Noon subject to the call of the Mayor.

APPROVED \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
City Clerk